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C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000076

SIPDIS

STATE FOR EAP, IO, DRL AND G/TIP  
PACOM FOR FPA  
US MISSION GENEVA FOR LABOR ATTACHE

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TAGS: ELAB PGOV PREL PHUM KTIP CH TH BM

SUBJECT: BURMA: IMPROVED TIP COOPERATION WITH NEIGHBORS

REF: A. 2008 RANGOON 575  
1B. 2008 RANGOON 957

Classified By: Political/Economic Officer Brian Andrews for Reasons 1.4  
(b) & (d)

Summary

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¶1. (C) The Government of Burma (GOB) is taking steps to improve anti-trafficking cooperation with its neighbors. In April 2009, Burma and Thailand signed a long-delayed Trafficking in Persons (TIP) Memorandum of Understanding (MOU). Burma has expressed concern about the treatment of Burmese trafficking victims in Thailand and what it perceives as reticence by the Thais to open trafficking cooperation offices on the border, notwithstanding the good anti-TIP cooperation that already exists. Burma also recently signed an anti-TIP agreement with China. Although negotiations were reportedly difficult, the agreement has paved the way for enhanced cooperation, including plans to open a third trafficking bilateral liaison office (BLO) at the Chin Shwe Haw (Burma) - Ming Ting (China) border crossing in 2010. End summary.

Burma Signed TIP MOU with Thailand...

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¶2. (C) On April 24, 2009, after several months of delays, Burma and Thailand signed a bilateral MOU to combat trafficking (REFTEL). Burmese Police Colonel Sit Aye, Head of the Ministry of Home Affairs Department against Transnational Crime, attributed the delays to Thailand's internal political issues, possibly referring to the December 2008 change of administration in Thailand. The MOU includes a Plan of Action that covers all aspects of anti-trafficking measures, such as prevention, protection, prosecution, repatriation, and reintegration. In 2009, the GOB reports 132 Burmese trafficking victims were repatriated from Thailand to Burma, versus 133 repatriated in 2007 and 35 repatriated in 2006. A political officer in the Thai Embassy here referred to anti-trafficking as "one of the strongest aspects of Thai-Burma cooperation."

...But Friction on TIP Issues Remain

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¶13. (C) Despite the positive public face of Burma-Thai TIP cooperation, Col. Sit Aye told us January 21 that significant issues remain. Burmese officials believe Thailand benefits from the exploitation of Burmese laborers residing in that country, and the GOB is reportedly unhappy with the Thai Government's treatment of Burmese trafficking victims in Thailand. Col. Sit Aye claimed victims are regularly housed in shelters for periods ranging from several months to two years and provided inadequate translation and counseling services. (Embassy Bangkok notes that Thai government officials and NGOs attribute lengthy shelter stays in part to the difficulties in working with the GOB authorities and bureaucracy to properly identify those claiming Burmese nationality, and the inherent difficulty in arranging for the safe repatriation of TIP victims to Burma. Delays in repatriation are also sometimes attributed to Burmese TIP victims supporting Thai prosecution efforts against traffickers.)

¶14. (C) According to the GOB, Thailand argued the MOU was a prerequisite to open BLOs to promote TIP cooperation between local law enforcement on both sides of the border (REFTEL). To date no BLOs have been opened, although Col. Sit Aye claims Burma and Thailand have agreed in principle to open three "Border Cooperation on Anti-Trafficking Forces offices" in 2010. The offices would be located in the same cities as

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the nationality verification centers that grant temporary passports to Burmese seeking work in Thailand (Tachilek in Shan State, Myawaddy in Karen State, and Kauthaung in Taninthayari Division, which are the three main crossing points for Burmese into Thailand) and would serve the same function as BLOs, facilitating local TIP information sharing and cooperation, albeit with a different label. Both Burma and Thailand report good cooperation at the local level across the border and have cooperated for years on the repatriation of trafficking victims.

MOU with China Even More Difficult to Negotiate

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¶15. (C) Meanwhile, on November 11, 2009, Burma's Deputy Minister for Home Affairs and China's Vice Minister for the Ministry of Public Security signed an anti-TIP MOU in Beijing. Colonel Sit Aye told us negotiations were difficult, particularly due to what he termed Chinese resistance to "accepting international norms." For example, he said, China, unlike Burma, is not a signatory to the United Nations Convention against Transnational Organized Crime or its Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children -- the main multilateral mechanisms to address TIP. (Embassy Beijing clarifies that China signed the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, in December 2009).

¶16. (C) Rangoon-based International Labor Organization (ILO) representative Steve Marshall told us GOB contacts informed him China's sensitivity to potential negative publicity about its own trafficking problems complicated the MOU negotiations. Marshall reported China was concerned signing an MOU and sharing information with Burma could shine additional light on human trafficking issues in China. This PRC concern may explain Article Three of the bilateral MOU, an expansive confidentiality clause not normally included in TIP MOUs.

¶17. (C) Col. Sit Aye said it is significant the MOU with China was signed by the PRC Ministry of Public Security and applies to the entire country. Normally China prefers to reach agreements on trafficking at the provincial level, he

observed. Col. Sit Aye termed GOB-PRC police cooperation on trafficking as "good," noting that Chinese authorities typically take action within days of notification of potential trafficking victims, find the victims, and place the traffickers in custody. The GOB reported 293 Burmese trafficking victims were repatriated from China in 2009, versus 98 trafficking victims repatriated in 2007 and 57 repatriated in 2006.

Third BLO to Open in 2010 on Burma-China Border

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**¶18. (SBU)** The Burma-China MOU has paved the way for the expected 2010 establishment of a third BLO. The new office will promote cooperation at the Chin Shwe Haw (Burma) - Ming Ting (China) border crossing. The Chinese and Burmese Government established the first BLO in Muse (Burma) - Ruili (China) in July 2007, and a second in Lwe Je (Burma) in December 2008; the locations are key border crossing points. Burmese police in the BLOs receive Chinese language training and receive specialized TIP training from NGOs, including Australia's Asia Regional Trafficking in Persons (ARTIP) Project and UNICEF. The Burmese police are equipped with Chinese cell phones, computers with internet access, and motorbikes.

Comment

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**¶19. (C)** The GOB perceives its increasing cooperation with neighbors Thailand and China is deserving of recognition, even praise. GOB officials complain that the U.S. applies a double standard on TIP, praising Thailand's anti-TIP efforts but withholding recognition of what the Burmese believe is an improving GOB record. Burma's cross-border efforts are certainly an important step in the right direction. However, we consistently remind the authorities here that Burma's internal trafficking problems, particularly forced labor and the use of child soldiers, as well as the abysmal economic and political conditions that make Burma a source country for trafficking, are at the heart of U.S. and international concerns.

**¶110. (SBU)** This cable has been coordinated with Embassies Bangkok and Beijing.

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